

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**CITY OF HOLLY SPRINGS**

**PLAINTIFF**

**V.**

**NO. 3:21-CV-246-DMB-RP**

**JOHNSON & JOHNSON, et al.**

**DEFENDANTS**

**ORDER**

On January 6, 2022, CVS Pharmacy, L.L.C., Walgreen Co., and Walmart Inc. (collectively, “Pharmacy Defendants”) filed a motion to “stay resolution of [the City of Holly Springs] motion to remand (ECF No.26) until the Judicial Panel on Multidistrict Litigation (‘the JPML’) issues a final decision on whether to transfer this action to the Multidistrict Litigation pending in the Northern District of Ohio, *In Re: Nat’l Prescription Opiate Litig.*, 1:17-md-2804 (‘the MDL’).” Doc. #37 at 1. The Pharmacy Defendants represent that “the JPML issued an order conditionally transferring this case to the MDL;” the City “opposed the conditional transfer order;” “the JPML will likely consider the transfer issue at its March 21, 2022 hearing;” and “[s]taying resolution of [the City’s] motion to remand will promote judicial economy, conserve judicial resources, and not cause any prejudice to [the City.]”<sup>1</sup> *Id.* at 1, 2.

On April 8, 2022, the JPML granted the City’s motion to vacate the conditional transfer order. Doc. #56. The Pharmacy Defendants then “requested the [JPML] to reconsider its decision” in a motion for reconsideration. Doc. #57 at 2. The JPML denied the motion for reconsideration on June 1, 2022. Doc. #58. Because the JPML has issued a final decision<sup>2</sup> denying transfer of this case to the MDL, the motion to stay [37] is **DENIED as moot**.

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<sup>1</sup> The motion to stay is fully briefed. Docs. #38, 44, #54.

<sup>2</sup> See 28 U.S.C. § 1407(e) (“No proceedings for review of any order of the panel may be permitted except by extraordinary writ pursuant to the provisions of title 28, section 651, United States Code.”).

**SO ORDERED**, this 14th day of July, 2022.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**